

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

AIRBNB, INC.,

Plaintiff,

-- against --

ERIC SCHNEIDERMAN, Attorney General of the State of New York, in his official capacity; CITY OF NEW YORK, a municipal corporation; and BILL DE BLASIO, Mayor of New York City, in his official capacity,

ECF Case

16 cv 8239 (KBF)

Defendants.

**STIPULATION BETWEEN DEFENDANT ERIC SCHNEIDERMAN AND PLAINTIFF AIRBNB, INC. REGARDING PLAINTIFF'S APPLICATION FOR A TEMPORARY RESTRAINING ORDER**

WHEREAS plaintiff Airbnb, Inc. ("Airbnb") has filed an application for a temporary restraining order ("TRO") seeking to enjoin all defendants from enforcing as against plaintiff New York Multiple Dwelling Law § 121 and New York City Administrative Code § 27-287.1 (collectively, the "Act") pending a decision by the Court on plaintiff's application for a preliminary injunction; and

WHEREAS Defendant Eric Schneiderman, Attorney General of the State of New York, sued in his official capacity (the "State"), has no intention of enforcing the Act during the pendency of plaintiff's application for a preliminary injunction;

THEREFORE, IT IS HEREBY STIPULATED AND AGREED, by and between Airbnb and the State, by their undersigned counsel, that:

- (i) the State shall not, through its agents, servants, employees, officers or attorneys, enforce the Act, including retroactively from the effective date of the Act, as against Airbnb pending resolution by the district court of Airbnb's

application for a preliminary injunction (excluding any motions for reconsideration or reargument); and

(ii) Airbnb hereby modifies its pending application to exclude the State from the scope of the proposed TRO. Nothing within this Stipulation prevents Airbnb from including the State within the scope of any proposed preliminary or permanent injunction, and Airbnb expressly reserves the right to do so.

Dated: New York, New York  
October 24, 2016

ERIC T. SCHNEIDERMAN  
Attorney General of the  
State of New York

By: /s/ Andrew Amer  
Andrew Amer  
Special Litigation Counsel  
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Attorney for Defendant ERIC SCHNEIDERMAN,  
Attorney General of the State of New York, in his official  
capacity

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By: /s/ Mylan L. Denerstein  
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Attorney for Plaintiff Airbnb, Inc.

TO: All Counsel (by ECF)

So Ordered.

K.B. Jr.  
U.S.D.J.

10/24/16